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Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities

Letter dated 30 April 2004 from the Permanent Representative of Cambodia to the United Nations addressed to the Chairman of the Committee

Upon instructions from the Royal Government of Cambodia. I have the honour to hereby provide the report on actions taken by the Royal Government of Cambodia pursuant to resolution 1455 (2003), paragraphs 6 and 12, and resolution 1267 (1999) (see annex).

Your kind assistance in including Cambodia on the list of Member States that have submitted such reports would be greatly appreciated.

(*Signed*) **Ouch** Borith
Ambassador
Permanent Representative

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Annex to the letter dated 30 April 2004 from the Permanent Representative of Cambodia to the United Nations addressed to the Chairman of the Committee

Actions taken by the Royal Government of Cambodia pursuant to resolution 1455 (2003) paragraphs 6 and 12 and resolution 1267 (1999)

I-INTRODUCTION :

At presence, the international terrorism still continues its activities of threats which cause lost of lives and much destruction to the people's properties. Despite many preventive movements against terrorism becoming the common global problem and more cooperation have successfully achieved in seizing a certain number of chieftains and terrorist networks, it is noted that the terrorist activities still exist and continue to increase, reflecting the effectiveness over them is limited.

1- SUPPRESSION ON INTERNATIONAL TERRORISM:

- Cambodia has adopted a firm policy fighting against terrorism in all its forms and manifestations. In practice, Cambodia closely cooperates with neighboring countries, in particular, with the United States of America to cease all activities of Muslim Group called " Jemaah Islamiyah (JI)" running the Om Al Tuora NGOs in Cambodia which was financed by Islam Al Koura in Saudi Arabia as well as from international terrorist Al-Qaeda. Their purposes are to seek for shelter and provide local educations to some supported members inside the country and to send them abroad accordingly. All authorities concerned have jointly done their utmost to ensure that Cambodia will never be used for the group as a sacred area of any terrorist acts against any countries and in a whole world.

- In year 2003, all intelligence agencies, police and military have intensified their cooperation, provided information sharing in the investigation and the search for the suspects as well as monitoring their movements, thus, 05 suspects were arrested, comprising 02 Egyptians, 02 Thai Muslims and 01 Cambodian Muslim who are currently under the process for trial. Moreover, the Om Al Kuora NGO has been ordered to stop operating in Cambodia forever as from now on. Also within this year period, Cambodian authorities

have discovered the weapons supply network of the Tamil Separatist (EELAM) and other 02 foreigners in connection were also deported.

The authorities, therefore, have remained in full alert and vigilant in tracing activities of the extremist elements, mainly to search for Al-Qaeda network and supporters.

2- **CAMBODIA IS IN CONVICTION** that the success can be achieved through the overall cooperation and joint commitments in the region as well as the international efforts at all levels to take concrete measures for investigation, law implementation, freezing assets and finance of those related terrorists and their supporters including the prevention to block the terrorists from integrating into the world financial system. However, fighting against the international terrorism obviously needs a long way ahead in which this requires a World Mechanical System to move forward on the basis of 2 factors : international political will and effectivness of capacity building.

II- POLICY AND GOODWILL OF THE RGC:

1- National law for prevention and elimination international terrorism:

Cambodia has a firm determination to fight against the international terrorism and commits itself to associate with the international community to fight against all forms of terrorism. The improvement of important existing laws in aim at promoting social safety and the fundamental rights of the people have been put as high priority and processed as urgent matters in order to guarantee the effectiveness of law implementation to fight against terrorism.

2- The criminal codes and legislative procedures of criminal codes in which only 300 articles were contained previously has now been drafted up to 1,500 articles. This new draft has been submitted to the Council Ministers for high consideration and then forwarded to the National Assembly for adoption.

3- In December 2003, by the participation and cooperation with the high level experts on finance from IM, Cambodia had drafted the law against

money laundering and financial supply to terrorists. This draft is being reviewed by the Ministry of Justice prior submitting the Council Ministers' consideration.

4- In January 2004, with the request of the RGC, the experts from UNODC had visited to Cambodia and organized a seminar on implementation of the 12 Universal Law Documents and on the prevention and suppression over the international terrorism including the establishment of the working group to characterize the new draft law concerning the combat against the terrorist acts in which the previous one contained only 4 articles.

5- The RGC in cooperation with the International Organizations and Civil Social Organizations had drafted a law on the control of weapons , ammunitions and explosion which has already submitted to the General Secretariat of the National Assembly.

6- In 2004, the RGC and the Government of Australia have set up a MOU concerning the cooperation to combat against the international terrorism in aim at establishing a framework of cooperation to prevent and suppress the international terrorism.

7- The RGC and the Government of the United States of America have set up a MOU of intention to provide the Program Control System to prevent terrorist acts at border check points. In year 2003, the Government of the United States of America had equipped with PISCES system at the Phnom Penh International Airport and also studied the feasibilities at the other important international check points for further installations of such system in the future.

8- Following the destruction of more than one hundred thousand weapons within the past years, Cambodia recently requested the cooperation from the United States of America (Support already confirmed) in preparedness to destroy 233 Air Ground Missiles A72 which are being stored in its warehouse in order to demonstrate Cambodia's goodwill in its determination to continue implementing the control, collection and destruction of weapons.

III- PARTICIPATION IN THE INTERNATIONAL AGREEMENTS ON ELIMINATION OF THE INTERNAIONAL TERRORISM :

The Law and Executive Institutions of Cambodia have been and being in full cooperation with the other Law and Executive Institutions in the regions and the world over which constitutes a part of its contribution to the joint efforts in aim at eliminating the terrorism out of the entire world.

1- The RGC has a true goodwill to participate in the 12 conventions and protocols of the United Nations to fight against the international terrorist acts. Cambodia has already become the state party to the 4 conventions and protocols and is being in position to submit to the National Assembly for ratification. The remaining 8 conventions and protocols will be signed soon.

2- Cambodia has declared to support and join the Agreement between Philippine, Indonesia and Malaysia concerning the establishment of legislative procedure for coordination and information sharing dated on 30 July 2002.

3- Cambodia acknowledge receipt of acceptance the ARF's recommendations organized by Co-Chairs of Singapore and Australia which was held from 03 to 05 June 2003 concerning the consolidate efforts to manage the impact of terrorist attack comprising a combination with the use of chemical, biological weapons and radio actives.

4- In August 2003, Cambodia attended the Second Session of the ASEAN law officials Meeting in Bali concerning the terrorist issues. The meeting came up with 2 following important initiatives:

a/- Conducting terrorism is regarded as criminalization and encouragement of the national law on the combat against terrorism of the ASEAN Members with coherence, and similar harmonization.

b/- Seeking possibility to create an ASEAN Regional Convention on Anti-Terrorism.

5- In August 2003, all ASEAN countries (including Cambodia) declared an ASEAN-EUROPE Joint Statement on the cooperation to fight against international terrorism and adopted the MOU between ASEAN-CHINA concerning the cooperation in Non-Traditional Security Issues (January 2004).

6- Cambodia has agreed upon the draft Joint Statement between the Minister of Foreign Affairs of Russian Federation and of ASEAN concerning the cooperation to fight the international terrorism which will be ready to sign in the coming ASEAN Ministerial Meeting to be held in July 2004 in Jakarta, Republic of Indonesia.

7- Cambodia supports the outcome of the cooperation of ASEAN with the United States of America in the cooperation framework on the management of disaster as part of the ASEAN-US's Anti-Terrorism.

8- Cambodia also attended the Ministerial Meeting concerning the fight against terrorism which was held in Bali on 4-5 February 2004 and agreed to issue one Joint Statement :

- Set up a working group of Senior Officials in charge of law implementation in aim at collecting information on terrorism and making recommendations including appropriate legal measures to fight against terrorism. The Ministers also urged all countries to provide ratifications on the 12 conventions against terrorism as soon as possible.

- Set up the working group of lawyers in aim at sharing and exchanging all related information to effectively fight against Terrorism.

- Request the leader of Terrorism Center for South East Asian Region in Kula Lumpur, the leaders of Academy of law implementation in Bangkok and the leaders of the Cooperation, Law Implementation Center in Indonesia to set up the working Group for effective coordination.

IV-FINANCIAL AND ECONOMIC ASSETS FREEZE :

The Royal Government of Cambodia has strictly implemented the asset freeze required by the resolution 1267 (1999), and paragraph 1 and 2 (a) of resolution 1390 and in accordance with Cambodian domestic law in this context and steps taken to address the issues:

- The Royal Government of Cambodia has instructed to all institutions and competent authorities concerned to comply with the Security Council Resolutions on freezing of the transfer of the suspected funds, mainly, the financial resources belonging the Taliban, Usama Bin Laden and the Al-Qaeda network.

- In order to take further effective counter-measures against the money laundering, the National Bank of Cambodia has also issued the PROKAS, its announcement to instruct to all finance Institutions to chase and identify any suspicious linkage of financial operations to the terrorist group and take immediate actions to freeze all assets and ban money transaction.

V- CONCLUSION :

The RGC is legally bound by all Security Council resolutions. To this End, Cambodia has drafted laws in dealing with terrorism which cover every step and measure to jointly suppress and combat against all forms of terrorist acts.

However, in order to address the imbalance and breaches of obligations which exist in the current international counter-terrorism process, the appropriate modalities for actions are needed, therefore, all states should extend full cooperation on the willingness to share operational as much as judicial information which enable to access to certain specific amenities./.